

1 Kim E. Miller (178370)
2 Melissa R. Clark, *pro hac vice*
3 KAHN SWICK & FOTI, LLC
4 500 5th Avenue, Suite 1810
5 New York, NY 10110
6 Telephone: (212) 696-3730
7 Facsimile: (504) 455-1498

8 Lewis S. Kahn, *pro hac vice*
9 Paul S. Balanon, *pro hac vice*
10 Sarah C. Boone, *pro hac vice*
11 KAHN SWICK & FOTI, LLC
12 650 Poydras Street, Suite 2150
13 New Orleans, LA 70130
14 Telephone: (504) 455-1400
15 Facsimile: (504) 455-1498
16 ***Lead Counsel for Lead Plaintiffs***
17 ***and the Class***

18 Reed R. Kathrein (139304)
19 Peter E. Borkon (212596)
20 HAGENS BERMAN SOBOL SHAPIRO LLP
21 715 Hearst Avenue, Suite 202
22 Berkeley, CA 94710
23 Telephone: (510) 725-3000
24 Facsimile: (510) 725-3001
25 ***Liaison Counsel for Lead Plaintiffs***
26 ***and the Class***

27 UNITED STATES DISTRICT COURT
28 NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

29 In re SHORETEL, INC. SECURITIES
30 LITIGATION

Case No. C-08-00271-CRB

31 **STIPULATION AND ~~[PROPOSED]~~**
32 **ORDER SETTING CASE SCHEDULE**

33 This Document Relates To:
34
35 ALL ACTIONS

1 WHEREAS, Lead Plaintiffs Loren Swanson and Art Landesman (collectively, "Plaintiffs")
2 and ShoreTel, Inc.; John W. Combs, Michael E. Healy, Edwin J. Basart, Mark F. Bregman, Gary
3 J. Daichendt, Thomas Van Overbeek, Kenneth D. Denman, Charles D. Kissner, and Edward
4 Thompson; and J.P. Morgan Securities Inc. (collectively, "Defendants") have met and conferred
5 regarding the case schedule;

6 WHEREAS, the action is stayed as to Defendant Lehman Brothers Inc. as a result of its
7 liquidation under the Securities Investor Protection Act;

8 WHEREAS, on December 4, 2009, in anticipation of a Case Management Conference
9 scheduled for the following week, the parties filed a Joint Case Management Statement and
10 [Proposed] Order that included deadlines in 2011;

11 WHEREAS, on December 11, 2009, the Court convened the Case Management
12 Conference, but advised the parties to confer further on scheduling to avoid including any 2011
13 dates;

14 WHEREAS, the parties have met and conferred to discuss the Court's concerns and they
15 have agreed upon a revised case schedule;

16 THEREFORE, IT IS ACCORDINGLY STIPULATED, by and between the undersigned
17 counsel for the parties, subject to the Court's approval, that the following Proposed Schedule shall
18 govern this case:

ACTION	DEADLINE OR DUE DATE
Class Certification	Motion: April 15, 2010 Opposition: May 28, 2010 Reply: June 11, 2010
Amendment of Pleadings to Add Parties, Claims, or Defenses	April 1, 2010
Fact Discovery Ends	June 30, 2010
Deadline to File Motion(s) to Compel Fact Discovery	July 10, 2010

The party with the burden of proof discloses expert report(s) and identity of expert(s)	July 7, 2010
The party without the burden of proof discloses rebuttal expert report(s) and identity of expert(s)	July 27, 2010
Expert Discovery Ends	August 10, 2010
Deadline to File Motion(s) to Compel Expert Discovery	August 18, 2010
Dispositive Motions and <i>Daubert/Kumho</i> Motions	Motion: September 15, 2010 Opposition: October 15, 2010 Reply: November 1, 2010
Pre-Trial Conference	November 1, 2010 — November 4, 2010
Trial: Plaintiffs have requested a jury trial, and the parties anticipate that a trial of this matter will last approximately three weeks.	December 1, 2010 , subject to the Court's schedule December 16, 2010

Dated: January 4, 2010

KAHN SWICK & FOTI, LLC

/s/ Kim E. Miller

Kim E. Miller

Attorneys for Lead Plaintiffs and the Class

Dated: January 4, 2010

FENWICK & WEST LLP

/s/ Catherine Kevane

Catherine Kevane

Attorneys for Defendants ShoreTel, Inc.;
John W. Combs; Michael E. Healy;
Edwin J. Basart; Mark F. Bregman; Gary J.
Daichendt; Thomas Van Overbeek; Kenneth
D. Denman; Charles D. Kissner; and Edward
F. Thompson

1 Dated: January 4, 2010

BINGHAM MCCUTCHEN LLP

2 /s/ Charlene S. Shimada

3 Charlene S. Shimada

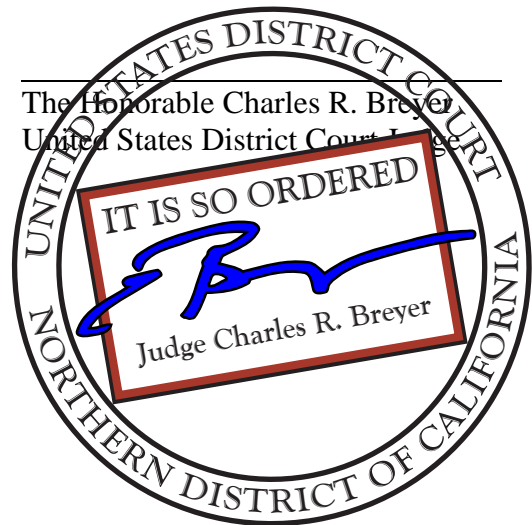
4 Attorneys for Defendant J.P. Morgan
5 Securities Inc.

6
7 **~~[PROPOSED]~~ ORDER**

8 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

9
10 Dated: Jan. 7, 2010

11 The Honorable Charles R. Breyer
12 United States District Court Judge



- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

2
3

5
6

8